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Attorneys for Defendant  
NATIONAL TOBACCO COMPANY, LP

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

RAYMOND RILEY p.k.a. Boots Riley,  
SOLOMON DAVID and MARLON IRVING  
p.k.a. Lifesavas,

Plaintiffs,

v.

NATIONAL TOBACCO COMPANY LP,  
Defendant.

Case No. C-08-01931 JSW

**CERTIFICATE OF SERVICE OF  
DEFENDANT NATIONAL TOBACCO  
COMPANY LP**

**[FILED VIA E-FILING]**

**CERTIFICATE OF SERVICE**

I, Christine von Seeburg, declare: I am employed in the City and County of San Francisco, California. I am over the age of 18 years and not a party to the within action. My business address is Two Embarcadero Center, Suite 1100, San Francisco, CA 94111. On May 8, 2008, I served the attached

1. NOTICE OF MOTION AND MOTION BY DEFENDANT NATIONAL TOBACCO COMPANY TO DISMISS, STAY OR TRANSFER IN FAVOR OF FIRST-FILED ACTION IN NEW YORK; OR IN THE ALTERNATIVE TO DISMISS OR TRANSFER FOR IMPROPER VENUE UNDER FED. R. CIV. P. 12(B)(3) AND 28 U.S.C. § 1406(a); OR, IN THE ALTERNATIVE, TO TRANSFER FOR THE CONVENIENCE OF THE PARTIES AND WITNESSES UNDER 28 U.S.C. § 1404(a)
2. DECLARATION OF MARCELLA BALLARD IN SUPPORT OF MOTION BY DEFENDANT NATIONAL TOBACCO COMPANY TO DISMISS, STAY OR TRANSFER IN FAVOR OF FIRST-FILED ACTION IN NEW YORK; OR IN THE ALTERNATIVE TO DISMISS OR TRANSFER FOR IMPROPER VENUE UNDER FED. R. CIV. P. 12(B)(3) AND 28 U.S.C. § 1406(a); OR, IN THE ALTERNATIVE, TO TRANSFER FOR THE CONVENIENCE OF THE PARTIES AND WITNESSES UNDER 28 U.S.C. § 1404(a)
3. DECLARATION OF WINIFRED CHANE IN SUPPORT OF MOTION BY DEFENDANT NATIONAL TOBACCO COMPANY TO DISMISS, STAY OR TRANSFER IN FAVOR OF FIRST-FILED ACTION IN NEW YORK; OR IN THE ALTERNATIVE TO DISMISS OR TRANSFER FOR IMPROPER VENUE UNDER FED. R. CIV. P. 12(B)(3) AND 28 U.S.C. § 1406(a); OR, IN THE ALTERNATIVE, TO TRANSFER FOR THE CONVENIENCE OF THE PARTIES AND WITNESSES UNDER 28 U.S.C. § 1404(a)
4. DECLARATION OF MATT MCDONALD IN SUPPORT OF MOTION BY DEFENDANT NATIONAL TOBACCO COMPANY TO DISMISS, STAY OR TRANSFER IN FAVOR OF FIRST-FILED ACTION IN NEW YORK; OR IN THE ALTERNATIVE TO DISMISS OR TRANSFER FOR IMPROPER VENUE UNDER FED. R. CIV. P. 12(B)(3) AND 28 U.S.C. § 1406(a); OR, IN THE ALTERNATIVE, TO TRANSFER FOR THE CONVENIENCE OF THE PARTIES AND WITNESSES UNDER 28 U.S.C. § 1404(a)
5. [PROPOSED] ORDER GRANTING DEFENDANT NATIONAL TOBACCO COMPANY'S TO DISMISS, STAY OR TRANSFER IN FAVOR OF FIRST-FILED ACTION IN NEW YORK; OR IN THE ALTERNATIVE TO DISMISS OR TRANSFER FOR IMPROPER VENUE UNDER FED. R. CIV. P. 12(B)(3) AND 28 U.S.C. § 1406(a); OR, IN THE ALTERNATIVE, TO TRANSFER FOR THE CONVENIENCE OF THE PARTIES AND WITNESSES UNDER 28 U.S.C. § 1404(a)
6. NOTICE OF INTERESTED PARTIES BY DEFENDANT NATIONAL TOBACCO COMPANY LP

7. NOTICE OF PENDENCY OF OTHER ACTION OR PROCEEDING IN  
NEW YORK BY DEFENDANT NATIONAL TOBACCO COMPANY LP

8. US DISTRICT COURT DOCKET SHEET IN THIS ACTION,  
REFLECTING THAT THIS IS AN E-FILING CASE

by serving the above documents on counsel for Plaintiff, who is not registered for e-filing in the U.S.  
District Court for the Northern District of California, via Federal Express and electronic mail:

**Anthony E. McNamer, Esq.**  
**Anthony@mcnamerlaw.com**  
**McNAMER AND COMPANY P.C.**  
**519 S.W. Third Avenue, Suite 601**  
**Portland, Oregon 97204-2534**

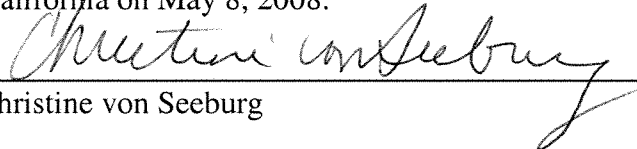
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Raymond Riley, Solomon David  
and Marlon Irving

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☒ **(VIA ELECTRONIC TRANSMISSION)** I caused each such document to be sent via electronic  
transmission to the e-mail address referenced above.

☒ **(VIA FEDERAL EXPRESS OVERNIGHT COURIER)** I placed such sealed envelope, for  
collection, at BAKER & McKENZIE LLP, San Francisco, California. I am readily familiar  
with the practice of BAKER & McKENZIE LLP for collection and processing of overnight  
packages, said practice being that in the ordinary course of business, documents are deposited  
with the overnight courier the same day as they are placed for collection.

I declare under penalty of perjury under the laws of the United States that the foregoing is  
true and correct. Executed at San Francisco, California on May 8, 2008.

  
Christine von Seeburg